

Minutes

Clark County Board of Zoning Appeals

Regular Meeting ~ 2:00 pm.
Thursday, January 26, 2017

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Mr. Rick Smith, Acting Chairperson of the Clark County Board of Zoning Appeals of Clark County Ohio, called the meeting to order at 2:00 pm. and asked for the Roll Call.

Present For Roll Call: Ms. Janie Riggs, Mr. Rick Smith, Mr. Paul Hazlett and Mr. David Minard.

Absent For Roll Call: Mrs. Jerri Taylor and Mr. Tim Greenwood.

Also in Attendance: Mr. Allan Neimayer, Mrs. Jennifer Tuttle of Clark County Community and Economic Development.

Mr. Minard, Alternate, will be a full voting Board member for this meeting.

Acting Chairperson Smith explained how the meeting will be conducted.

Acting Chairperson Smith asked if there are any comments regarding the minutes. Ms. Riggs stated on page 1 in paragraph 7, the word tittle should be "title." She also noted the word at should be "had" in paragraph 5 of page 10 and "Mr. Hefner" needed to be removed from the first sentence of paragraph 14 on page 10 because it was a duplicate. Hearing no further comments, Acting Chairperson Smith asked for a motion.

Approval of the November 17, 2016 Minutes

Motion by Mr. Minard, seconded by Mr. Smith, to **Approve** the minutes as corrected.

VOTE: Yes: Mr. Minard, Mr. Smith, Ms. Riggs and Mr. Hazlett.

No: None.

Motion carried.

#BZA-2017-01 ~ Property Owner: Jeannetta Gilreath ~ Applicant: Jason Castle ~ Location: 8155 Springfield-Jamestown Rd.; Green Twp. ~ Request: Variance under Chapter 2, Section A, to reduce the rear setback requirement from 60 ft. to 46 ft. to allow a lotsplit/attachment.

Acting Chairperson Smith asked Mr. Neimayer for the Staff Report.

Mr. Allan Neimayer, Senior Planner, stated the subject property is located at 8155 Springfield-Jamestown Rd. in Green Township. He stated the property is zoned A-1 (Agricultural District) and consists of about 1.83 acres. The Applicant would like to split off 0.328 acres at the rear of the property for a lot split and attach it to his land at 8167 Springfield-Jamestown Rd. Mr. Neimayer said the remaining acreage of the subject property would be about 1.5 acres. He explained that per Chapter 2, Section A of the Zoning Regulations, the minimum rear setback for the primary structure is 60 ft. and the proposed would allow a 46 ft. rear setback. Mr. Neimayer explained that the Applicant has been communicating with the Health Department to determine if there is enough land for a leach field replacement area. He told the Board that the Applicant had a backup plan if the proposed split

Minutes

Clark County Board of Zoning Appeals

did not work with the Health Department. Mr. Neimayer asked the board to allow Staff to work with the Applicant with either option.

Acting Chairperson Smith asked if the Board had questions for Mr. Neimayer.

Hearing no questions, Acting Chairperson Smith opened this portion of the public hearing at 2:05 pm. and asked if anyone would like to speak in favor of the case.

Mr. James Castle was sworn in. Mr. Castle, 8167 Springfield-Jamestown Rd., stated his mother-in-law owned the property at 8155 Springfield-Jamestown Rd. and she was no longer using that portion. He stated he wanted to do the lot split attachment to make his mother-in-law's property smaller so she could afford the property taxes giving him the additional land to utilize for a new, better barn. Mr. Castle stated he had been in communication with Rick Miller at the Clark County Combined Health District concerning the replacement area needed and he was trying to contact a soil scientist to review. Mr. Castle explained that he could split the property closer to the current barn to allow more room for a replacement leach field area for his mother-in-law if needed.

Acting Chairperson Smith asked if the Board had questions for the applicant.

Mr. Hazlett asked Mr. Castle to use the projected map to show the Board his alternative option. Mr. Castle showed the Board where he would propose splitting the lot if the Health Department required more land for his mother-in-law. Mr. Castle explained that he had paid for a survey and paid for the property before he checked with the Health Department and he relied on the surveyor to know the setbacks.

Acting Chairperson Smith asked if anyone else would like to speak on this case. There was none. Acting Chairperson Smith closed this portion of the public hearing at 2:15 pm. and asked for discussion among the Board.

Mr. Hazlett explained that he felt the Applicant was doing the right thing by working with the Health Department and with the testimony presented. He felt there was no issue in granting approval for either option.

Hearing no further questions or comments from the Board, Acting Chairperson Smith asked for a motion.

Action on #BZA-2017-01 ~ Property Owner: Jeannetta Gilreath ~ Applicant: Jason Castle ~ Location: 8155 Springfield-Jamestown Rd.; Green Twp. ~ Request: Variance under Chapter 2, Section A, to reduce the rear setback requirement from 60 ft. to 46 ft. to allow a lotsplit/attachment.

Motion by Mr. Hazlett, seconded by Ms. Riggs, to **Approve** the Variance request as presented allowing Staff to work with the Applicant to determine the best option for the split/attachment.

VOTE: Yes: Mr. Hazlett, Ms. Riggs and Mr. Minard.

No: None.

Motion carried.

Minutes

Clark County Board of Zoning Appeals

Staff Comments

Mr. Neimayer stated the next scheduled meeting is Thursday, February 23, 2017. He also passed on the Connect Clark County rack cards and encouraged the Board to attend and invite others to the public workshops.

Adjournment

Motion by Mr. Minard, seconded by Ms. Riggs, to Adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:21 pm.

Mr. Rick Smith, Acting Chairperson

Mr. Thomas A. Hale, Secretary